



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,035	06/26/2001	Topi Koskinen	324-010440-US(PAR)	1830
2512	7590	07/28/2005	EXAMINER	
PERMAN & GREEN			ELAHEE, MD S	
425 POST ROAD			ART UNIT	PAPER NUMBER
FAIRFIELD, CT 06824			2645	

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/892,035

Applicant(s)

KOSKINEN ET AL.

Examiner

Md S. Elahee

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,9,11-30,37,39-58 and 62-112 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,9,11-30,37,39-58 and 62-112 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 06/17/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Reopening of Prosecution-New ground of Rejection After Appeal

1. In view of the appeal Brief filed on 04/22/05, PROSECUTION IS HEREBY REOPENED. The rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Regarding claims 15, 43, 72 and 97, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2645

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 9, 11, 12, 15-20, 22, 24-30, 37, 39, 40, 43-48, 50, 52-58, 62-65, 67-69, 72-77, 79, 81-90, 92-94, 97-102, 104 and 106-112 are rejected under 35 U.S.C. 102(e) as being anticipated by Wynblatt et al. (U.S. Patent No. 6,219,696).

Regarding claims 1, 30, 58 and 87, Wynblatt teaches a first electronic device comprising means for implementing a virtual noticeboard (fig.1; col.1, lines 41-47).

Wynblatt further teaches first radio means for implementing data transmission with regard to the virtual noticeboard of the local information server (col.1, lines 41-47, 66, 67, col.2, lines 1-8).

Wynblatt further teaches at least one second portable electronic device comprising second radio means for implementing the data transmission, and means for processing information received from the virtual noticeboard of the first electronic device (col.1, lines 49-53).

Wynblatt further teaches that the first base station and the second radio means are arranged to implement the data transmission from the first device to the second device, the data transmission being used for transmitting information from the virtual noticeboard of the first electronic device to the second device (col.1, lines 41-47, 66, 67, col.2, lines 1-8, 35-44, col.3, line 66-col.4, line 8).

Wynblatt further teaches the context in the virtual noticeboard of the first electronic device is arranged to be transmitted to the vehicle located within a geographically limited

Art Unit: 2645

coverage area of the first radio means of the first (fig. 1, 2; col. 1, lines 41-47, 66, 67, col. 2, lines 1-8, 35-44, col. 3, line 66-col. 4, line 8).

Wynblatt further teaches that the second device comprises selecting means for selecting the reception of the virtual noticeboard of the first electronic device (col. 4, lines 23-26, 49-62, col. 5, lines 11-17).

Wynblatt further teaches that the first radio means are the radio means in connection with the first device and the first device is portable user equipment in the mobile telephone system (col. 5, lines 61, 62).

Regarding claims 9, 37, 67 and 92, Wynblatt teaches that the first device is a server computer with its software (col. 5, lines 49-62).

Regarding claims 11, 39, 68 and 93, Wynblatt teaches that the first device is a part of a network element in the mobile telephone system (fig. 2; col. 3, lines 1-4).

Regarding claims 12, 40, 69 and 94, Wynblatt teaches that the second device is portable user equipment in the mobile telephone system (fig. 2; col. 2, lines 39, 40, col. 3, lines 1-4).

Regarding claims 15, 43, 72 and 97, Wynblatt teaches that the virtual noticeboard is bound to a physical location, such as an airport, railway station, vehicle, train, business location, store, restaurant, office, conference site, trade fair site or building (col. 1, lines 41-47, col. 5, lines 61, 62).

Regarding claims 16, 44, 73 and 98, Wynblatt teaches that the virtual noticeboard is bound to the first electronic device (col. 4, lines 23-26, 49-62, col. 5, lines 11-17).

Art Unit: 2645.

Regarding claims 17, 45, 74 and 99, Wynblatt teaches that the virtual noticeboard is inherently a personal noticeboard of the user of the first device (col.4, lines 23-26, 49-62, col.5, lines 11-17).

Regarding claims 18, 46, 75 and 100, Wynblatt teaches that the selecting means are arranged to show the virtual noticeboards received by the second radio means, to select the virtual noticeboards desired by the user, and to request the first device to transmit the selected piece of information from the virtual noticeboard (col.5, line 64-col.6, line 16).

Regarding claims 19, 47, 76 and 101, Wynblatt teaches that the first device comprises means for automatically transmitting information on the virtual noticeboard to all second devices located in the coverage area (col.5, line 64-col.6, line 16).

Regarding claims 20, 48, 77 and 102, Wynblatt teaches that the selecting means are used for selecting whether or not to receive the information on the virtual noticeboard automatically transmitted by the first device (col.4, lines 23-26, 49-62, col.5, lines 11-17).

Regarding claims 22, 50, 79 and 104, Wynblatt teaches that the second device comprises means for determining whether to include contact information in the reply information transmitted to the first device or whether to keep the second device anonymous (col.5, line 63-col.6, line 16).

Regarding claims 24, 52, 81 and 106, Wynblatt teaches that the second device comprises means for transmitting the information retrieved from the virtual noticeboard of the first device to the application processing the information (fig.2; col.3, lines 1-4).

Regarding claims 25, 53, 82 and 107, Wynblatt teaches that the application processing the information is communication software enabling data transmission from the second device with a party determined in the retrieved information (fig.2; col.3, lines 1-4).

Regarding claims 26, 54, 83 and 108, Wynblatt teaches that the information on the virtual noticeboard of the first device is only transmitted to such second devices which meet predetermined conditions for use (col.3, line 66-col.4, line 8).

Regarding claims 27, 55, 84 and 109, Wynblatt teaches that the conditions for use are based on membership in a group or on a particular user profile (fig.2; col.3, lines 1-4).

Regarding claims 28, 56, 85 and 110, Wynblatt teaches that the transmitted information on the virtual noticeboard is text and/or voice and/or images and/or moving video image (fig.2; col.3, lines 1-4).

Regarding claims 29, 57, 86 and 111, Wynblatt teaches that the context, in addition to location, also comprises time (col.5, lines 49-62).

Regarding claims 62 and 112 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Wynblatt teaches that the first radio means are at least one base station in the mobile telephone system communicating with the first device, and the virtual noticeboard of the first device is arranged to include in the transmitted information location information as meta-information on the area within which the second device is located and for which second device the context in the virtual noticeboard of the first device is arranged (fig. 1, 2; col.3, line 66-col.4, line 8).

Regarding claims 63 and 88, Wynblatt teaches that the selecting means of the second device are arranged only to show such virtual noticeboards which transmit location information

Art Unit: 2645

corresponding with the location of the second device (col.2, lines 35-44, 59-62, col.3, lines 66, 67, col.4, lines 1-8, 23-26, 63-67, col.5, lines 1-8).

Regarding claims 64 and 89, Wynblatt teaches that the selecting means of the second device are arranged to show all virtual noticeboards received (col.2, lines 35-44, 59-62, col.3, lines 66, 67, col.4, lines 1-8, 23-26, 63-67, col.5, lines 1-8).

Regarding claims 65 and 90, Wynblatt teaches that the received virtual noticeboards are shown in order of relevance such that the virtual noticeboards which transmit location information corresponding with the location of the second device are shown first (col.2, lines 35-44, 59-62, col.3, lines 66, 67, col.4, lines 1-8, 23-26, 63-67, col.5, lines 1-8).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 13, 41, 70 and 95 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynblatt et al. (U.S. Patent No. 6,219,696) in view of Pasanen (U.S. Patent No. 6,587,450).

Regarding claims 13, 41, 70 and 95, Wynblatt does not specifically teach "the radio means are a short-range radio transceiver or a radio transceiver in the mobile telephone system". Pasanen teaches that the radio means are a short-range radio transceiver in the mobile telephone system (col.5, lines 16-28). Thus, it would have been obvious to one of ordinary skill in the art at

Art Unit: 2645

the time the invention was made to modify Wynblatt to incorporate the radio means are a short-range radio transceiver or a radio transceiver in the mobile telephone system in order to transmit or receive signal using short-distance link.

8. Claims 14, 42, 71 and 96 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynblatt et al. (U.S. Patent No. 6,219,696) in view of Emilsson (International Pub. No. WO 98/59506).

Regarding claims 14, 42, 71 and 96, Wynblatt does not specifically teach “as a protocol, the radio means use a short message service, WAP (Wireless Application Protocol), wireless local area network, GSM data call or GPRS (General Packet Radio Service), or another wireless radio system protocol”. Emilsson teaches that as a protocol, the radio means use a short message service, WAP (Wireless Application Protocol), wireless local area network, GSM data call or GPRS (General Packet Radio Service), or another wireless radio system protocol (abstract; fig.1; page 2, lines 19-28, page 3, lines 1-5, 8-12, page 7, lines 15-21, page 8, lines 12-25, page 9, lines 1-5, 10-14). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wynblatt to incorporate as a protocol, the radio means use a short message service, WAP (Wireless Application Protocol), wireless local area network, GSM data call or GPRS (General Packet Radio Service), or another wireless radio system protocol as taught by Emilsson. The motivation for the modification is to have doing so in order to transmit information without having any inconvenience.

9. Claims 21, 49, 78 and 103 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynblatt et al. (U.S. Patent No. 6,219,696) in view of Coad et al. (U.S. Patent No. 5,966,652).

Art Unit: 2645

Regarding claims 21, 49, 78 and 103, Wynblatt teaches that the first device comprises means for providing traffic updates, weather reports and public emergency reports etc. to user (col.6, lines 17-25). However, Wynblatt does not specifically teach “the first device comprises means for determining whether to automatically include contact information in the information transmitted to the second devices”. Coad teaches that means for determining whether to automatically include contact information in the information transmitted to the second devices (col.6, lines 10-17). Thus, it would have been obvious to one of ordinary skill in the art the time the invention was made to modify Wynblatt to incorporate the first device comprising means for determining whether to automatically include contact information in the information transmitted to the second devices in order to insert telephone number so that the user can make a contact with the designated area for the desired information.

10. Claims 23, 51, 80 and 105 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynblatt et al. (U.S. Patent No. 6,219,696) in view of Kailamaki et al. (U.S. Patent No. 2002/0029197).

Regarding claims 23, 51, 80 and 105, Wynblatt teaches means for retrieving documents from its virtual noticeboard (col.5, lines 7, 8). However, Wynblatt does not specifically teach “the first device comprises means for calculating how many times a certain piece of information has been retrieved”. Kailamaki teaches means for calculating how many times a certain piece of information has been retrieved (page 4, paragraph 0056). Thus, it would have been obvious to one of ordinary skill in the art the time the invention was made to modify Wynblatt to incorporate means for calculating how many times a certain piece of information has been retrieved in order to keep record for billing.

Art Unit: 2645

11. Claims 66 and 91 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynblatt et al. (U.S. Patent No. 6,219,696) in view of Calvert (U.S. Patent No. 6,526,275).

Regarding claims 66 and 91, Wynblatt does not specifically teach "the second device comprises means for determining its location". However, Calvert teaches means for determining its location (col.6, lines 15-18). Thus, it would have been obvious to one of ordinary skill in the art the time the invention was made to modify Wynblatt to incorporate the second device comprising means for determining its location in order to locate current location of a subscriber so that the subscriber can send its location information to local server.

12. Claims 1, 30, 58 and 87 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emilsson (International Pub. No. WO 98/59506) in view of Pasanen (U.S. Patent No. 6,587,450).

Regarding claims 1, 30, 58 and 87, Emilsson teaches a local information server (i.e., first electronic device) comprising means for implementing a homepage (i.e., virtual noticeboard) (abstract; fig.1; page 7, lines 15-21, page 8, lines 5-15).

Emilsson further teaches first base station (i.e., radio means) for implementing data transmission with regard to the homepage (i.e., virtual noticeboard) of the local information server (abstract; fig.1; page 7, lines 15-21, page 8, lines 12-25).

Emilsson further teaches at least one vehicle (i.e., first portable electronic device) comprising GSM mobile transceiver (i.e., second radio means) for implementing the data transmission, and means for processing information received from the homepage (i.e., virtual noticeboard) of the vehicle (abstract; fig.1; page 2, lines 19-28, page 3, lines 1-5, 8-12, page 7, lines 15-21, page 8, lines 12-25).

Emilsson further teaches that the first base station and the GSM mobile transceiver (i.e., radio means) are arranged to implement the data transmission from the local information server (i.e., device) to the vehicle (i.e., device), the data transmission being used for transmitting information from the homepage (i.e., virtual noticeboard) of the local information server to the vehicle (abstract; fig.1; page 2, lines 19-28, page 3, lines 1-5, 8-12, page 7, lines 15-21, page 8, lines 5-25).

Emilsson further teaches the context in the homepage (i.e., virtual noticeboard) of the local information server is arranged to be transmitted to the vehicle located within a geographically limited coverage area of the first base station of the first (abstract; fig.1; page 2, lines 19-28, page 3, lines 1-5, 8-12, page 7, lines 15-21, page 8, lines 5-25).

Emilsson further teaches that the vehicle comprises selecting means for selecting the reception of the homepage (i.e., virtual noticeboard) of the local information server (abstract; fig.1; page 2, lines 19-28, page 3, lines 1-5, 8-12, page 7, lines 15-21, page 8, lines 5-25).

Emilsson further teaches that the first base station are the base station in connection with the local information server (abstract; fig.1; page 2, lines 19-28, page 3, lines 1-5, 8-12, page 7, lines 15-21, page 8, lines 5-25).

However, Emilsson fails to teach "the first device is portable user equipment in the mobile telephone system". Pasanen teaches that the first device is portable user equipment in the mobile telephone system (fig.1; col.3, lines 27-38). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Emilsson to allow the first device being portable user equipment in the mobile telephone system as taught by Pasanen. The

Art Unit: 2645

motivation for the modification is to have doing so in order to provide the user of device flexibility of carrying terminal as desired.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Boyd (U.S. Patent No. 6,484,148) teach Electronic advertising device and method of using the same.


14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.E.

MD SHAFIUL ALAM ELAHEE
July 22, 2005


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600